



MEMORANDUM OF UNDERSTANDING
On
Operational Procedures for Concerned Agencies in
Prevention, Suppression, and Solution for
Human Trafficking Problem in 8 Southeastern Provinces
2007

(Chumphon, Surat Thani, Nakhon Si Thammarat, Phatthalung, Songkhla, Pattani,
Narathiwat, and Yala)



1. BACKGROUND AND RATIONALE

Even though the National Memorandum of Understanding (MOU) on Operational Procedures for Concerned Agencies in Trafficking in Women and Children of 1999 was already in operation, the situation of human trafficking, especially in women and children, is still very severe. The operation in full compliance with the MOU still requires more details. The Sub-Committee on Combatting Trafficking in Women and Children has modified and drafted the Second MOU on Operational Procedures for Government Agencies in Trafficking in Women and Children of 2003 and added the following facts:

1.1 The world community has agreed that the problem of human trafficking, especially in women and children, is a severe form of violation of human rights.

1.2 As one of the Mekong Region countries, Thailand has been seriously affected by the trafficking problem. It has increasingly developed into organized crime corporations that have exploited the country by using it for a place of origin, transit and destination. As the place of origin, trafficked victims are exploited inside and outside the country. As the place of transit, trafficked victims are transferred through the country. As the place of destination, foreign trafficked victims are exploited, coming in

the country. However, the impact has occurred not only in one country but also in the region and in the international communities around the world. It is necessary for every country to cooperate in solving this problem.

1.3 In domestic scene, the problem is still evident but not as severe as it was in the past.

1.4 Many countries have paid more attention to the problem and have organized meetings at the national, bilateral and regional levels. Each meeting has resulted in a wide range of suggestions and recommendations. In Thailand, there have been many meetings from 1997 up to present. The outcome from these meetings has been used to improve anti-trafficking operations respectively.

The first global conference emphasizing commercial sexual exploitation was held in Sweden in 1996 and the second one in Japan in 2001. Thailand's representatives participated in both conferences and used the outcomes for further improvement in their work. Many regional-level meetings were held afterwards.

1.5 In 1994, a Sub-Committee on Combatting Commercial Sexual Exploitation was established under the National Committee on Women Affairs, the Office of the Permanent Secretary of the Office of the Prime Minister. In 1999, it was renamed the Sub-Committee on Combatting Cross-border Trafficking in Women and Children under the National Youth Bureau and later, in 2003, it was renamed the Sub-Committee on Combatting Trafficking in Women and Children under the Ministry of Social Development and Human Security. Members of the sub-committee consist of representatives from concerned government agencies, non-governmental organizations (NGOs), academics, as well as representatives from concerned international agencies in Thailand who also provide financial assistance in solving the problem.

1.6 In December 1998, police superintendents and their deputies working on women and children trafficking participated in a workshop and agreed that trafficked victims should be assisted and offenders should be prosecuted by the establishment of joint operational procedures among concerned agencies to be followed all in the same manner according to the Penal Code, the 1979 Immigration Act, the 1996 Prevention and Suppression of Prostitution Act, the 1997 Measures in Prevention and Suppression of Trafficking in Women and Children, and other relevant laws. In order to achieve the goals, the MOU on Operational Procedures for Concerned Agencies in Trafficked Women and Children Problem was signed in 1999 by the Permanent Secretary of the Office of the Prime Minister, the Commissioner-General of the Royal Thai

Police, the Director-General of the Department of Public Welfare (then), Chairperson of the Sub-Committee on Combatting Trafficking in Women and Children and representatives from the network for prevention and solution for trafficking in women and children.

1.7 The Reorganization of Ministry, Bureau and Department Act was promulgated in 2002. Nearly four years have passed since the 1999 MOU was first implemented, there were some suggestions from various training sessions by provincial, metropolitan, immigration, and border patrol police, officials from the Department of Public Welfare (then), attorneys, judges, physicians, medical personnel from the Ministry of Public Health, representatives from relevant educational offices, representatives from the Ministry of Interior, and representatives from NGOs.

The Sub-Committee on Combatting Trafficking in Women and Children gathered these suggestions along with those from operation personnel of the first MOU and further suggestions from various meetings with concerned agencies during the course of one year to draft the Second MOU before the signing on 24 March 2003.

1.8 Later on, the MOU on Operational Procedures for Concerned Agencies in Trafficking in Women and Children in 9 Northern Provinces (Chiang Mai, Chiang Rai, Mae Hong Son, Phayao, Phrae, Nan, Lampang, Lamphun, and Tak) was signed in Chiang Mai Province on 21 August 2003.

1.9 On 1 July 2003, the Thai Cabinet approved the national policy and plan on prevention, suppression, and solution of domestic and cross-border trafficking in women and children. The National Commission on Promotion and Coordination of Youth Affairs of the Ministry of Social Development and Human Security, chaired by the Deputy Prime Minister, further approved the operation plan.

1.10 The MOU between the governments of the Kingdom of Thailand and the Kingdom of Cambodia on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking was signed on 31 May 2003 in Siem Riep, Kingdom of Cambodia.

1.11 The MOU on Cooperation Against Trafficking in Persons in the Greater Mekong Sub-Region, consisting of the Kingdom of Cambodia, the Lao People's Democratic Republic, the Union of Myanmar, the Socialist Republic of Vietnam, the People's Republic of China and the Kingdom of Thailand, was signed on 29 October 2004 in Yangon, the Union of Myanmar.

1.12 The MOU between the governments of the Kingdom of Thailand and the Lao People's Democratic Republic on Cooperation to Combat Trafficking in Persons, Especially Women and Children was signed on 13 July 2005 in Bangkok, Thailand.

1.13 The Thai Cabinet's resolution on 14 June 2005 in Phayao Province allowed the establishment of human trafficking operation centers at 3 levels: provincial, national, and at the Thai embassies or consulate offices in foreign countries.

1.14 The MOU on Operational Procedures for Concerned Agencies in Trafficking in Children and Women in 8 Eastern Provinces, consisting of Chanthaburi, Rayong, Trat, Sa Kaeo, Prachin Buri, Chachoengsao, Chon Buri, and Nakhon Nayok, was signed on 29 May 2006 in Chon Buri Province and the MOU for 19 Northeastern Provinces consisting of Kalasin, Khon Kaen, Chaiyaphum, Nakhon Phanom, Nakhon Ratchasima, Buri Ram, Maha Sarakham, Mukdahan, Yasothon, Roi Et, Loei, Si Sa Ket, Sakon Nakhon, Surin, Nong Khai, Nong Bua Lam Phu, Udon Thani, Ubon Ratchathani, and Amnat Charoen, was signed on 3 July 2006 in Khon Kaen Province.

1.15 The two seminars in Phuket and Nakhon Si Thammarat Provinces at the beginning of the year 2006 on improving efficiency of personnel working in trafficking prevention and solution resulted in preparation for two MOUs for western and eastern parts of the south to establish mechanisms and operational procedures for concerned agencies to efficiently implement the existing national and international MOUs.

1.16 The 2007 MOU on Operational Procedures for Concerned Agencies in Human Trafficking in 6 Southwestern Provinces including Krabi, Trang, Phang Nga, Phuket, Ranong, and Satun was signed on 10 January 2007 in Phuket Province.

1.17 The Sub-Committee on Combatting Trafficking in Women and Children and the Ministry of Social Development and Human Security, in cooperation with provincial working groups from 8 southeastern provinces including Chumphon, Surat Thani, Nakhon Si Thammarat, Phatthalung, Songkhla, Pattani, Narathiwat, and Yala, agreed to sign the 2007 MOU on Operational Procedures for Concerned Agencies in Human Trafficking in 8 Southeastern Provinces on 10 January 2007 in Phuket Province.

2 OBJECTIVES

2.1 To establish operational guidelines and mechanisms for concerned agencies in prevention, suppression, and solution, including trafficked victim protection and assistance in 8 southeastern provinces.

2.2 To provide knowledge, understanding, and skills for operational officers of every concerned agency for efficient operation in combatting human trafficking.

2.3 To facilitate systematic operations and integration among concerned agencies including coordination in every level.

2.4 To facilitate operations in multi-disciplinary manner with similar principles.

3. SITUATIONS

3.1 Chumphon

Chumphon is adjacent to the Union of Myanmar and Ranong Province in the west and has a long coast along the Gulf of Thailand in the east, which are the transportation routes to other provinces in central and southern regions down to Malaysia. In addition to its geography, there are more needs of labor in fishery, and fruit, para rubber, and palm orchards especially foreign labor from the Union of Myanmar, which all lead to migration of many laborers legally and illegally to the province. The incident police raid in 2005 to rescue 17 women and children under 18 years old from entertainment places indicated that there is an expansion of sexual services in condensed foreign labor areas. The statistics in 2006 showed no reports of prostitution arrest but in 2005 there were Burmese, Laotian, and Cambodian cases. Other groups at risk of entering trafficking are child and woman beggars, provided by leaders of organized corporation, found in provincial festivals, or covered sexual services in risk groups. Therefore, Chumphon is one of the provinces under surveillance in many aspects of trafficking even though there is no apparent evidences but there are enough surrounding factors indicating the transit status that possibly lead to trafficking problem.

3.2 Surat Thani

As a center of the upper part of the southern region, Surat Thani's economy and tourist industry grow rapidly because of its transportation system connecting it to other provinces and neighboring countries. This leads to migration of labor, Thai and foreign, from other regions to work in tourist industry, agriculture, and fishery.

Regarding the trafficking situation, the province serves as a transit or a resting point to other provinces that need labor and also serves as a destination place for Thai and foreign children and women exploited and forced to use their labor in sexual services. By the statistics from the Surat Thani Protection

and Occupational Development Center (Baan Sri Surat) and the Surat Thani Shelter for Families and Children in rescuing trafficked women and children in Surat Thani, it was found that during 2004-2006, there were Laotian and Cambodian woman and children forced laborers, 22 cases working as domestic helpers, workers in places where sexual services are provided, and flower and flower garlands sellers, 4 cases in sexual exploitation-of these were 2 Thais and 2 Laotians.

However, another group at risk of trafficking is teenagers, students, and college students, who are materialistic and work in covered sexual services in exchange of luxurious goods. Trafficking data needs to be systemized and clearly researched since now it is not collected in details from GOs or NGOs for unity, convenience, speed and efficiency in protection and solution for human trafficking.

3.3 Nakhon Si Thammarat

The trafficking situation is not so severe in Nakhon Si Thammarat. The province serves as a transit. Last year (2006) there was no prosecution in trafficking. Problems occur only in prostitution among groups of students and college students who voluntarily become prostitutes. From police information there were only prosecution in prostitution cases which offenders were fined and released but no arrest and could not be identified as trafficking cases. However, the province now coordinates with police officers to establish data system about prosecution according to trafficking acts for collection of the province's situations.

3.4 Phatthalung

Phatthalung is adjacent to Songkhla, Nakhon Si Thammarat, and Trang. Most of its population work in agriculture: para rubber and rice farms. The economy depends on eco-tourism, small industries, and retail businesses with no large economic center so there is not much migration in and out of the province as other big cities.

There is no evidence of trafficking that causes any apparent problem for the province. It is only a transit from northern provinces to Songkhla and Malaysia. From Phatthalung Provincial Police's statistics in the past 3 years (2004-2006), there was no trafficking case. However, there possibly is covered trafficking in increasing number of businesses at risk, for example, restaurants, tea houses, karaokes, bungalows, and motels. Besides, number of foreign laborers entering the province to work in agriculture sector has increased. This is the situation that should be under surveillance to prevent any trafficking problems.

3.5 Songkhla

With the area of 7,393 square kilometers, the province is adjacent to Kedah (Saiburi) State of Malaysia. It is a center of economic, business, education, communication, transportation, and tourism development. It is also a center of entertainment places, important ports, and coastal cities. This leads to migration from every regions of the country and foreign countries to the province to work, study, and travel. There are many cases of social and trafficking problems. Many children and women are lured into prostitution.

The province serves as an origin as children and women from the province have been trafficked abroad, and as a transit as children and women from Thailand and neighboring countries (the Lao People's Democratic Republic, the Union of Myanmar, and the Kingdom of Cambodian) have been trafficked to Malaysia and the Republic of Singapore to be prostitutes. Besides, the province also serves as a destination since there are violations of children and women's rights. They are exploited and forced into prostitution and to use their labor in fishery. From the statistics in rescuing women and children of Songkhla Provincial Social Development and Human Security Office and Songkhla Shelter for Families and Children in 2005, there were 48 trafficking cases in Songkhla and 101 cases returned from Malaysia. In 2006, there were 16 trafficking cases in Songkhla and 27 cases returned from Malaysia. From the aforementioned situation, concerned GOs and NGOs recognized its importance and have cooperated to solve the problem.

3.6 Pattani

Pattani is situated along the border in the southern part of the region. The area of 1.2 million rais is divided into 12 districts, 115 tambons, 636 villages. The north is adjacent to Songkhla, the south to Narathiwat and Yala, the east to the Gulf of Thailand, and the west to Yala and Songkhla. Of the 630,000 population, 80 per cent are Islamic and mostly work in agriculture: farms, marine and coastal fisheries, and animal husbandry. It is an area of multi-dimension of cultures, communication, thoughts, beliefs, and life skills.

The trafficking in the province is not so severe. In 2006, the Provincial Operation Center on Prevention and Suppression of Human Trafficking (POCHT) rescued 11 trafficked victims, 3 Thais and 8 Laotians, and all were delivered back to their domicile. Most of the victims were lured into forced labor. Pattani is one of the provinces at risk of trafficking so every part must be under surveillance to suppress the severity of the problem.

3.7 Narathiwat

The province is divided into 13 districts and adjacent to Malaysia at Su-ngai Kolok, Tak Bai, Waeng, and Sukhirin Districts. There are two permanent border checkpoints at Su-ngai Kolok and Tak Bai. There are a lot of Thais and foreigners traveling through these checkpoints especially at Su-ngai Kolok which is a location of businesses and entertainment places.

The province is a place of transit for trafficking since there are foreigners from the Kingdom of Cambodia, the Union of Myanmar, and the Lao People's Democratic Republic traveling through to work in Malaysia. Su-ngai Kolok is also a place where many Malaysians and Thais traveling in and out and population from other areas such as northern and northeastern regions migrated in to work in entertainment places such as karaokes, restaurants, and other businesses. Narathiwat is a risk area of illegal labor migration and prostitution, which should be under continuous and close monitoring and surveillance. The problem should be systematically planned and managed and integrate every cooperation from every part and region to facilitate sustainable development and solution of the problems.

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3.8 Yala

The province consists of 8 districts of which 5 are adjacent to Malaysia with the permanent checkpoint at Betong District. Most of the population is Islamic and work in para rubber farms and agriculture. The province has basic infrastructure systems, educational institutions, service places and beautiful tourist attractions. There is covered prostitution and all are voluntary. The college students at risk are ones holding materialistic values and perform covered services for the exchange of materials voluntarily, which possibly lead to trafficking problem.

Yala Provincial Social Development and Human Security Office prepared questionnaire for trafficked victims in Yala and asked concerned working groups to survey areas in responsibility for information. The Office has been reported from Yala Provincial Police and Betong District Provincial Police that during January-December of 2006, there are 3 cases of prostitution that there were persons aged 15 but not over 18 years old working in entertainment places by recruitment and deception and were lured into prostitution in Betong District Provincial Police area.

4. PRINCIPLES

4.1 The operation of human trafficking prevention, protection, assistance and solution shall be in compliance with the provisions of this MOU, taking into account the best interest of the victims of human trafficking.

4.2 The principle of human rights shall be in compliance with the Constitution of the Kingdom of Thailand, the Convention on the Rights of the Child, the Convention on Elimination of All Forms of Discrimination Against Women, and any other conventions or protocols relating to labor and human rights of which Thailand is a member.

4.3 The Penal Code, the Criminal Procedure Code, the 1929 Extradition Act, the 1978 Working of Aliens Act, the 1979 Immigration Act, the 1985 Employment and Job Seeker Protection Act and its amendment, the 1992 Mutual Assistance in Criminal Matters Act, the 1994 Workmen's Compensation Act, the 1996 Prevention and Suppression of Prostitution Act, the 1997 Measures in Prevention and Suppression of Trafficking in Women and Children Act, the 1998 Labor Protection Act, the 1999 Anti-Money Laundering Control Act, the 2001 Act on Compensation to the Injured Person and Restitution and Expenses to the Accused in Criminal Cases, the 2003 Witness Protection Act, the 2003 Child Protection Act and other relevant laws, rules, or the Thai Cabinet's resolutions shall be adopted and complied with¹.

4.4 Any operation relating to combatting human trafficking shall comply with any relevant domestic MOUs, and also bilateral and multilateral MOUs.

4.5 To prevent and solve human trafficking problem effectively and efficiently, all concerned agencies from every region and every level shall cooperation in multi-disciplinary manner.

5. MEANINGS RELATING TO HUMAN TRAFFICKING

5.1 "Human Trafficking" means willful action to another person or other persons² for unlawful benefits from prostitution; other forms of sexual exploitations; servitude or similar actions; forced labor or services; or exploitations for unlawful benefits from a child; removal of organs or similar actions whether such exploited person(s) give consent to do so or not, by the following means:

¹ Besides the above-mentioned authority by laws in 4.3 and for the benefits of the victim, the Provincial Operation Center on Prevention and Suppression of Human Trafficking (POCHT) shall coordinate in using the 1997 Unfair Contract Terms Act and the Civil and Commercial Code: Torts.

² Another person or other persons mean children and women only until the Measures in Prevention and Suppression of Trafficking B.E... is in use.

1) Recruiting, purchasing, selling, distributing, transporting, detaining, confining, accommodating or harboring of a person or persons; and

2) By means of threat, use of force, abduction, fraud, deception, abuse of power or a position of vulnerability or inexperience, intellectual or psychological disabled, giving or receiving of payments or benefits to achieve the consent of a person or persons' parents or caretakers.

Any action taken against children shall be deemed the human trafficking with or without 2).

"Exploitation from a Child" means illegally taking advantage from a child for oneself or others by prostitution; production, distribution or dissemination of pornography materials; other forms of sexual exploitations; forced labor or services; servitude or similar actions; force a child to commit crimes or similar actions or more violent actions including to remove organs from others without medical indication with or without a child's consent.

"Forced Labor or Services" means coercion for another person or other persons to work or give services by putting in fear of injury to life, body, liberty, reputation or property of herself or themselves or other persons, by means of threat, use of force, or when the person is unable to resist.

5.2 "Trafficked Victim" means a person who suffers from human trafficking in 5.1.

5.3 "Child"³ means a person not over 18 years of age.

6. FOUR CATEGORIES OF HUMAN TRAFFICKED VICTIMS⁴ There are 4 target groups:

6.1 Thais who are victimized by being trafficked inside or outside Thailand's territory;

6.2 Foreigners who legally enter and reside in Thailand but later become trafficked victims;

6.3 Foreigners who illegally enter and reside in Thailand and become trafficked victims; and

³ According to the Measures in Prevention and Suppression of Trafficking in Women and Children Act of 1997, Article 4.

⁴ Including offences against children and women by purchasing, selling, distributing, transporting, recruiting, or by any means for one(s) own or others' sexual benefits, sexual abuse or unlawful benefits, or by selling, forced begging or working in savage conditions (from principles and rationales of the 1997 Measures in Prevention and Suppression of Trafficking in Women and Children Act and the 14th Amendment of 1997 Penal Code.

6.4 Non-Thais who reside in Thailand or had been or had resided in the country and are victimized by human trafficking inside or outside the country's territory.

7. OPERATIONS TO PROTECT AND ASSIST TRAFFICKED VICTIMS

7.1 Mechanisms to rescue and protect trafficked victims.

7.1.1 Provincial Operation Center on Prevention and Suppression of Human Trafficking (POCHT).

According to the Thai Cabinet's resolution dated 14 June 2005, each province shall establish a Provincial Operation Center on Prevention and Suppression of Human Trafficking (POCHT), chaired by the Provincial Governor or the assigned Deputy Provincial Governor. The POCHT Operation Committee shall be composed of Commander of Provincial Police, physician(s) of Provincial Public Health, Provincial Public Prosecutor, Deputy Governor, official(s) of Provincial Employment Office, official(s) of Provincial Labor Protection and Welfare, official(s) of Immigration Bureau (if any), official(s) of Community Development Provincial Office, official(s) of Provincial Agricultural and Cooperatives, Director of Provincial Institute for Skill Development, Superintendent of Provincial Welfare Shelter (if any), Director of Educational Service Area, representative(s) of Provincial Office for Local Administration, representative(s) from Provincial Islamic Committee, representative(s) from NGO(s), representative(s) from provincial business sectors, other concerned agencies and individuals, and the Provincial Social Development and Human Security serving as a committee and secretarial office.

7.1.2 The Provincial Operation Center on Prevention and Suppression of Human Trafficking (POCHT) shall have the following duties:

1) Coordinating GOs and NGOs to enhance the capacity of their personnel in raising their knowledge and awareness on trafficking issues, equipping them with technical skills to perform efficiently in all aspects such as rescue and protection of victims, suppressing and solving the problems of human trafficking.

2) Establishing provincial strategies and coordinating the operations to protect, suppress, and solve the problems of human trafficking, in accordance with national plans and strategies with participation from every region.

3) Coordinating the provision of funding to support operations on prevention and suppression human trafficking, including rescue and protection of trafficked victims.

4) Disseminating information in prevention and suppression of human trafficking and acknowledging the general public to understand the status and duties of the POCHT.

5) Coordinating the GOs and NGOs to be a network of finding news, establishing shifts to receive reports, rescuing and providing legal and social protection, recovery and repatriation to victims' domicile and community.

6) Providing temporary safe shelters for human trafficked victims.

7) Taking legal actions against offenders engaged in any part of the trafficking process.

8) Collecting and storing data, IT system, and trafficking indicators to establish strategies, monitor and assess programs for the purpose of data exchange and network with concerned agencies at national and international levels, including individual's report relating to rescue, protection, recovery, social reintegration, repatriation, and legal actions taken against offenders.

9) Promoting research and dissemination of knowledge to concerned agencies, people who are interested, and the general public.

10) Monitoring and evaluating the results from the operations and submitting a formal annual report to the National Operation Center on Prevention and Suppression of Human Trafficking (NOCHT).

11) Appointing necessary sub-committees or working groups at different levels.

12) Performing other duties as assigned by the NOCHT.

7.1.3 The Provincial Social Development and Human Security shall serve as a secretarial office for the POCHT and a coordinating center.

7.1.4 POCHT shall organize a "Multi-disciplinary Operation Unit," composed of public prosecutor(s), police, administrative officer(s), physician(s), social worker(s), psychologist(s), lawyer(s), interpreter(s) from GOs and/or NGOs and other concerned personnel to rescue trafficked victims in accordance with relating MOUs especially this MOU.

Any province found necessary to organize the Multi-disciplinary Operation Unit to rescue victims in the district or tambon level may do so.

7.1.5 The Operation Unit shall have the following duties:

1) Finding, receiving, investigating and collecting data and evidence. If there is a reasonable ground to believe that there is a person or there are persons at risk of or being trafficked, the rescue must be carried out immediately.

2) Seeking advice, planning and preparing before the rescue as a multi-disciplinary team, headed by a police or an official of local administration or a person assigned by the POCHT, for the trafficked victim to be immediately rescued.

3) In an urgent case and there is a reasonable ground to believe a trafficked victim may be transferred to another location or her safety may be jeopardized, the Operation Unit shall immediately rescue the victim and inform the POCHT as soon as possible.

In case the Operation Unit is unable to perform the operation in the area of the incident, government officials in that area⁵ shall operate instead.

4) Interrogating for any facts⁶ to screen trafficked victims, collecting data systematically, and networking with related agencies.

5) Coordinating the delivery of trafficked victims into the protection, assistance, recovery and social reintegration system.

6) Submitting a summary report to the POCHT.

7.2 Rescue operations for potential trafficked victims or trafficked victim.

7.2.1 To rescue a potential trafficked victim from an entertainment place or a place where sexual services are provided or any other place, there shall be an investigation for facts in the case where: victim's information is reported, information is obtained through surveillance process, the victim has requested for a rescue, or the victim coming with other persons to request for a rescue. If there is a reasonable ground to believe that the person is trafficked, the Operation Unit shall immediately investigate and rescue the person. The police shall collect as much evidence as possible for further investigation and prosecution of traffickers and human trafficking movement.

⁵ For example, officers according to the Prevention and Suppression of Prostitution Act of 1996, officers according to the Labor Protection Act of 1998, officers according to the Child Protection Act of 2003, or trained officers

⁶ Interrogating for any facts means an interrogating a girl or a woman for the facts that she is a damaged party or an instrument/object of illegal actions according to laws by any concerned officer.

7.2.2 After the rescue in 7.2.1, it is the Operation Unit's duties to screen victims, record any opinions, and to coordinate with investigating officers for further operations.

7.2.3 Investigating officers have the duty to identify if the person is a trafficked victim or not according to evidence collected, witnesses, especially opinions and reasons from social worker(s) or psychologist(s) either from GOs or NGOs whose victim is in care of.⁷

In case of conflict of opinions, or if necessary, the head of investigating officers of the police station shall be a primary decision maker and shall immediately prepare a memorandum indicating their opinions to the POCHT while pending the prosecution, and shall temporarily provide protection for the person.

7.2.4 In protecting a potential trafficked victim or a trafficked victim who possibly be a witness residing in a reception center, a welfare shelter of the Department of Social Development and Welfare, or a NGO's shelter approved by the Ministry of Social Development and Human Security, or elsewhere, when there is a reasonable ground to believe that she may not be safe, the chief of the shelter or the secretary of the POCHT shall request protection from police as necessary and/or according to the 2003 Witness Protection Act.

7.2.5 During the course of rescuing a potential trafficked victim, there shall be restrictions on the following actions:

- a) Photographing, disseminating or printing of photographs, recording or disseminating the voice of the potential trafficked victim.
- b) Advertising or disseminating, by any media, documents relating to the officers' investigation or court's contents which reveals name(s) or surname(s) of the potential trafficked victim or a trafficked victim or the victim's family members.
- c) Advertising or disseminating audio or visual documents, by any media, revealing biography, place of residence, workplace or educational institution or any other information of the potential victim that will identify who she is.

There are exceptions if the action is deemed necessary for the best interest in protection and rescue for the potential victim or the victim or the witness, or for official purposes and not against the laws.

⁷ Refer to the summary of questions from the Appendix of the MOU meeting for the 1999 Operational Procedures for Concerned Agencies in Trafficking in Women and Children.

7.2.6 In case human trafficking involves more than one province and it is necessary to coordinate the operations among different provinces, the POCHT shall coordinate with the Children, Youth and Women Protection Center of the Provincial Police of the region or the Children, Youth and Women Protection Center of the Royal Thai Police or any other concerned agencies, depending on each case.

7.3 Operations of international and foreign agencies/organizations.

Operations on prevention, rescue and protection of a potential trafficked victim or a trafficked victim, including assistance during legal actions by any agencies, organizations, or NGOs inside or outside Thailand, including embassies and consulates, international organizations, or foreign NGOs shall be in accordance with this MOU by coordinating with the POCHT.

8. OPERATIONAL PROCEDURES FOR THAI TRAFFICKED VICTIMS, INSIDE OR OUTSIDE THAILAND

8.1 In the case where there is a reasonable ground to believe that a person is a trafficked victim, when she is rescued from an entertainment place, a place where sexual services are provided; or when she requests a rescue; or there is an evidence the person has been trafficked; or as deemed appropriate by the POCHT, investigating officers must immediately interrogate the person for facts and gather the person's evidence.

During an interrogation and an investigation, the investigating officers shall notify the Provincial Social Development and Human Security or NGOs to provide or coordinate to provide person(s) experienced in working with children and women such as social worker(s), psychologist(s), psychiatrist(s), depending on the case, to be participate in the interrogation.

In a case where the victim is a child, principles of child protection in criminal case of Criminal Procedure Code shall be applied.

In an emergency case or if it is necessary, the investigating officers shall immediately interrogate the trafficked victim and coordinate with the public prosecutor to apply to the court for an early deposition according to Article 12 of the 1997 Measures in Prevention and Suppression of Trafficking in Women and Children Act and Article 237 bis of the Criminal Procedure Code, though the investigation is not completed.

8.2 The Multi-disciplinary Operation Unit shall interrogate the victim for additional detailed information, systematically store data, and coordinate in forwarding this information to the investigating officers for further use to prosecute the offenders.

In the interrogation according to paragraph 1, the victim is able to ask the officers to contact the concerned persons or agencies to participate or send representative(s) to participate in the interrogation.

8.3 The investigating officer shall prosecute persons involved in human trafficking on recruitment, deception, accompaniment, purchase, sale, distribution, delivery, harboring, confinement, detention, concealment, lure, threat, violence, abuse of power, or by other means of coercion to another person. Offenders also include operators, supervisors, managers, controllers or any provider who has the victim comply with others' sexual desires, sexual abuse, or for other unlawful benefits to himself or others. Also customers for whose sexual services are provided by victims not over 18 years of age⁸ in a place where sexual services are provided, are considered criminals according to the Penal Code, laws on prevention and suppression of prostitution, laws on children and youth welfare, laws on prevention and suppression of women and children trafficking, laws on prevention and suppression of money laundering, or labor laws.

According to paragraph 1 for the criteria of the age of the children, the time of the first incident is to be used. In the case where the incident takes place when the child is not over 18 years old, but it is discovered when she is over 18, the offenders are to be prosecuted for their crime against a child whose age is not over 18 years old.

In the case where labor laws are applicable, Provincial Employment Office, Provincial Labor Protection and Welfare Office or, Provincial Social Security Office shall cooperate with the POCHT in rescue and protection of trafficked victims.

8.4 If Articles 10 and 11 of the 1997 Measures in Prevention and Suppression of Trafficking in Women and Children Act are to be applied to the case, the authorized officers shall transfer the potential woman or child victim to an appropriate place for interrogation of facts or examination of documents or witnesses.

In case the initial inquiry or interrogation could not be completed within 24 hours, upon approval of the Governor at a request of the POCHT, the victim shall be transferred to a reception center or a welfare shelter of the Department of Social

⁸ Definition according to the Prevention and Suppression of Prostitution Act of 1996, Article 8 and Article 33.

Development and Welfare or a NGO's shelter approved by the Ministry of Social Development and Human Security for assistance and full physical and psychological examinations shall be provided for the victim and collected as evidences.

If there is no such facility available in the said province, an alternative shelter deemed to be most appropriate and safe shall be arranged and provided with the approval of the POCHT.

8.5 In the case where the victim is over 18 years of age, the POCHT shall coordinate for her to voluntarily join the occupational training sessions or any educational programs provided by any institutions or divisions.

8.6 To identify the status of the potential trafficked victim or the trafficked victim, the officials of the Department of Social Development and Welfare shall examine the population registration, registration of the person's identification card, or examine from concerned persons or agencies in case the victim has no identification (ID) card, the photo on the ID is not identical with the user, or there is a reasonable ground to believe that the ID is not hers, it is fake or there is an alteration with the ID, or it is an official temporary ID. The officials then shall inform the investigating officers of the examination results.

8.7 In case the victim claims she is over 18 years of age without any proof of ID card or any other forms of identification, and there is a reasonable doubt that she is under 18, the investigating officers or the officials of the Department of Social Development and Welfare shall arrange a medical examination, by dental or other physical examinations, to identify and confirm the victim's age. In case the officials of the Department of Social Development and Welfare arrange the examination, they shall inform the investigating officers immediately of the results for victim protection and fairness for every party.

For the benefit of the potential trafficked victim or the trafficked victim, in case the result of the examination is not completed or is still unclear, it shall be presumed that such person is not over 18 years of age. The investigating officers shall interrogate the person in accordance with the child investigation section of the Criminal Procedure Code.

8.8 While under the custody of the Department of Social Development and Welfare or NGOs, the trafficked victim shall be provided with a safe and appropriate place, food, clothing, as well as physical and psychological recovery, education and occupational training, and assistance for welfare and legal processes prior to the repatriation to her domicile.

8.9 The Department of Social Development and Welfare's shelters or the NGO's shelters approved by the Ministry of Social Development and Human Security used to care for the trafficked victim shall not be deemed as a detention centre under the authority of either the investigating officers or the court.

8.10 In the repatriation process of the trafficked victim back to her domicile or to where she has requested to be transferred to, the POCHT of the province of the incident shall coordinate with the POCHT of her domicile or of where she has requested, to investigate and gather additional information, visit her residence, assess the readiness of her family and community and report to the POCHT of the incident to prepare the victim for the safe repatriation back to her domicile or take other appropriate measures.

When the victim arrives at her domicile or where she has requested, the POCHT shall equip her with the ability to live in the society and prevent her from returning to trafficking, and shall monitor and report results to the POCHT of the incident.

The POCHT of any province, if requested, shall urgently collect additional evidences and information useful for prosecuting the offenders.

8.11 In the repatriation process from another country of trafficked victim who has a domicile within Thailand's 8 southeastern provinces, when the Thai embassy or the consulate has rescued and returned the person to the country, the Ministry of Foreign Affairs shall coordinate with the Immigration Bureau, the Office of the Royal Thai Police, the Ministry of Social Development and Human Security, and other concerned agencies to inform about the process and the person's information. The Ministry of Social Development and Human Security shall provide social worker(s) in cooperation with police officers to receive the person from the airport or border checkpoint and to preliminarily interrogate for facts, assess the problems, security, risks and needs to prepare for further assistance.

After the Ministry of Social Development and Human Security has returned the victim, together with information so received from preliminary assessment, to the POCHT, it shall assist, protect, and provide social reintegration by her consent. Such information shall be used to establish prevention and suppression measures. In some cases the POCHT is contacted directly from the Thai embassy or the consulate in returning the victim back to Thailand, the POCHT shall provide social worker(s) in cooperation with police officers to receive the person from the airport or border checkpoint and to preliminarily interrogate for facts, assess the problems, security, risks and needs to prepare for further assistance.

The POCHT of any province, if requested, shall urgently collect additional evidences and information useful for prosecuting the offenders.

9. OPERATIONAL PROCEDURES FOR FOREIGNERS LEGALLY ENTERING THAILAND AND LATER BECOMING HUMAN TRAFFICKED VICTIM AND FOR FOREIGNERS ILLEGALLY ENTERING THAILAND AND LATER BECOMING HUMAN TRAFFICKED VICTIMS

9.1 When there is a reasonable ground to believe that a potential trafficked foreigner has been rescued from an entertainment place or a place where sexual services are provided, or any other place; or a victim has requested for assistance; or there is evidence the person has been trafficked; or as deemed appropriate by the POCHT, investigating officers must immediately interrogate the victim for facts and gather the person's information.

In the preliminary interrogation and investigation, the investigating officers should notify the Provincial Social Development and Human Security or NGOs to provide or coordinate to provide officers experienced working with women and children, for example, social worker(s), psychologist(s), psychiatrist(s), and interpreter(s) from GOs/NGOs, depending on the case, to participate in the interrogation.

In a case where the foreign victim is a child, principles of child protection in criminal case of Criminal Procedure Code shall be applied.

The preliminary interrogation and investigation of the victim shall be completed as soon as possible and the POCHT shall transfer the foreign victim safely back to her country of origin. If necessary and for the purpose of tracing the offenders, the victim shall be under a custody of a reception center, a welfare

shelter of the Department of Social Development and Welfare or a NGO's shelter approved by the Ministry of Social Development and Human Security.

In an emergency case or if it is necessary, the investigating officers shall immediately interrogate the trafficked victim and coordinate with the public prosecutor to apply to the court for an early deposition according to Article 12 of the 1997 Measures in Prevention and Suppression of Trafficking in Women and Children Act and Article 237 bis of the Criminal Procedure Code, though the investigation is not completed.

9.2 The Multi-disciplinary Operation Unit shall interrogate the foreign victim for additional information to assess her physical, mental and social conditions. Officers shall then screen the victim, systematically collect and store all information, and coordinate to forward information so received to the investigating officers for prosecution process.

In the interrogation according to paragraph 1, the victim is able to ask the concerned officers or agencies to send representative(s) to participate in the interrogation.

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9.3 The investigating officers shall prosecute the offenders involved in human trafficking, persons who recruit, lure, accompany, purchase, sell, deliver, harbor, confine, detain, conceal, threat, harm, abuse his/her authority or other means of coercion to other persons; persons who are entrepreneurs, caretakers, managers, supervisors, controllers or ones who arrange for other persons to commit illegal actions for other persons' sexual desires, sexual abuse, or for one's own or others' unlawful benefits; or persons who receive sexual services from children under 18 years of age from places where sexual services are provided or from other places. These are considered crimes according to the Penal Code, laws on prevention and suppression of prostitution, laws on children and youth welfare, laws on prevention and suppression of women and children trafficking, laws on prevention and suppression of money laundering, or labor laws.

According to paragraph 1 for the criteria of the age of the children, the time of the first incident is to be used. In the case where the incident takes place when the child is not over 18 years old, but it is discovered when she is over 18, the offenders are to be prosecuted for his crime against a child whose age is not over 18 years old.

In the case where labor laws are applicable, Provincial Employment Office, Provincial Labor Protection and Welfare Office or, Provincial Social Security Office shall cooperate with the POCHT in rescue and protection of trafficked victims.

9.4 If Articles 10 and 11 of the 1997 Measures in Prevention and Suppression of Trafficking in Women and Children Act are to be applied to the case, the authorized officers shall transfer the potential woman or child trafficked victim to an appropriate place for interrogation of facts or examination of documents or witnesses.

In case the initial inquiry or interrogation could not be completed within 24 hours, upon approval of the Governor at a request of the POCHT, the victim shall be transferred to a reception center or a welfare shelter of the Department of Social Development and Welfare or a NGO's shelter approved by the Ministry of Social Development and Human Security for assistance and full physical and psychological examinations shall be provided for the victim and collected as evidence.

If there is no such facility available in the said province, an alternative shelter deemed to be most appropriate and safe shall be arranged and provided with the approval of the POCHT.

9.5 In case the foreign victim illegally resides in the country, the investigating officers shall propose to the authorized officer(s)/person(s)⁹ to extend a limit of stay according to Article 54 of the Immigration Act of 1979.

9.6 In the case where the victim has no ID card or there is a reasonable doubt concerning the authenticity of the ID card, the Provincial Social Development and Human Security officials or the POCHT shall examine with the embassy or the consulate of the country which the victim claims that she belongs. The result of the examination is to be reported to the investigating officers.

9.7 In the case where the foreign victim asserts that she is over 18 years of age without any proof of ID card; or there is a reasonable doubt that her ID card is fake, modified, or not the one issued to her; or there is a reasonable doubt that she is not over 18 years old, the investigating officers or the Ministry of Social Development and Human Security officials shall arrange a dental or physical examination to identify and confirm the victim's age. In the case where the Ministry of Social Development and Human Security officials arrange the examination, the investigating officers should be informed of the results for victim protection and fairness for every party.

⁹ This means officer(s)/person(s) according to the 11th Ministerial Announcement of the Ministry of Interior dated 2 June 1998. Authorities and duties of the officer(s)/person(s) according to this announcement are possible to be modified later to cover child and woman trafficked victims of other nationalities other than Burmese, Laotian, and Cambodian.

For the benefit of the potential trafficked victim or the trafficked victim, in case the result of the examination is not completed or is still unclear, it shall be presumed that such person is not over 18 years of age. The investigating officers shall interrogate the person in accordance with the child investigation section of the Criminal Procedure Code.

9.8 While the foreign victim is under a custody of the Department of Social Development and Welfare or NGOs, she shall be provided with a safe and appropriate place, food, clothing, as well as with physical and psychological recovery, occupational training, and assistance for welfare and law procedures prior to the repatriation to her domicile.

9.9 The Department of Social Development and Welfare's shelter or NGOs' welfare shelter approved by the Ministry of Social Development and Human Security used to care for the trafficked victim shall not be deemed as a detention center under the authority of the investigating officers or the court.

9.10 In the case where the nationality of the foreign victim who illegally enters the country is unknown, the first place she had resided shall be considered her domicile. If the embassy, the consulate, or the government of the country of her domicile disagrees, verification of nationality is to be conducted instead. The officials of the Provincial Social Development and Human Security shall collect all evidence and interrogate the victim as well as record her testimonials for details needed for the nationality verification.

9.11 To demolish trafficking in the country of origin/domicile, the POCHT, the investigating officers, the Immigration Bureau or border checkpoints, the Thai-Malaysia Border Affairs Division, the Border Patrol Police Subdivision 41, the Military Border Affairs Department, the Thai-Laos Border Affairs Division, the Attorney General Office, the Ministry of Foreign Affairs, and NGOs shall coordinate to forward information on the foreign trafficked victim, details or evidence leading to the offenders and further inform the country of origin/domicile to prosecute the offenders.

9.12 The Ministry of Social Development and Human Security shall coordinate with the Immigration Bureau or border checkpoints, the Thai-Malaysia Border Affairs Division, the Military Border Affairs Department, the Thai-Laos Border Affairs Division, Ministry of Foreign Affairs, and NGOs to safely return the foreign victim to her country of origin/domicile and shall also coordinate with concerned government agencies, NGOs of the country of origin/domicile (if any, or as approved by the country of origin) for efficient and successful repatriation, harboring and social reintegration, and also for exchange of information among countries to further assist the victim and prosecute the offenders.

The POCHT shall apply the MOU on Cooperation Against Trafficking in Persons in the Greater Mekong Sub-Region; the MOU between the governments of the Kingdom of Thailand and the Kingdom of Cambodia on Bilateral Cooperation for Eliminating Trafficking in Children and Women and Assisting Victims of Trafficking; the Thai-Cambodia guidelines on repatriation and social reintegration of human trafficked victim; the Thai-Cambodia guidelines of legal procedures on human trafficking crimes, the MOU between the governments of the Kingdom of Thailand and the Lao People's Democratic Republic on Cooperation to Combat Trafficking in Persons, Especially Women and Children; and the Thai-Laos guidelines on harboring-delivering and recovery of human trafficked victim, especially women and children.

10. OPERATIONAL PROCEDURES FOR A NON-THAI WHO LIVES OR HAS HAD HER DOMICILE OR RESIDENCE IN THAILAND AND IS VICTIMIZED BY TRAFFICKING BOTH INSIDE AND OUTSIDE THAILAND¹⁰

10.1 When there is a reasonable ground to believe that a trafficked foreigner has been rescued from an entertainment place or a place where sexual services are provided, or any other place; or a victim has requested for assistance; or there is evidence the person has been trafficked; or as deemed appropriate by the POCHT, investigating officers must immediately interrogate the victim for facts and gather the person's information.

In the preliminary interrogation and investigation, the investigating officers should notify the Provincial Social Development and Human Security or NGOs to provide or coordinate to provide officers experienced working with women and children, for example, social worker(s), psychologist(s), psychiatrist(s), and interpreter(s) from GOs/NGOs, depending on the case, to participate in the interrogation. The police officers, the Ministry of Social Development and Welfare officials, and officers from NGOs shall coordinate to deliver the victim to the assigned area.

¹⁰ Including any person belonging to 15 categories registered and issued of identification documents by the Ministry of Interior, according to the Letter of the Bureau of Registration Administration No. 0310.1/8, dated 31 March 1995. The following are considered non-Thais who have their domicile in Thailand but do not have Thai nationality: 1. Hill Tribes (blue cards) 2. Former Nationalist Chinese Soldiers (white cards) 3. Civil Chinese Haw Displaced Persons (yellow cards) 4. Independent Chinese Haw (orange cards) 5. Burmese Displaced Persons (pink cards) 6. Illegal Burmese Immigrants (orange cards/with permanent residence) 7. Illegal Burmese Immigrants (purple cards/living with employers) 8. Vietnamese Refugees (white cards with blue border) 9. Laotian Refugees (blue cards) 10. Nepali Refugees (green cards) 11. Former Member of Communist Party of Malaya (green cards/former member of Communist Party) 12. Tai Lue (orange cards) 13. Mlabri (same as hill tribes/blue) 14. Ethnic Thais from Koh Kong, Kingdom of Cambodia (green cards) 15. persons who are registered from hill tribes survey (green cards with red border).

In a case the victim is a child who is a non-Thai but resides or has a residential status in the country, principles of child protection in criminal case of Criminal Procedure Code shall be applied.

The preliminary interrogation and investigation of the victim shall be completed as soon as possible and the POCHT shall transfer the non-Thai victim safely back to her domicile. If necessary or for the purpose of tracing the offenders, the victim shall be under a custody of a reception center, a welfare shelter of the Department of Social Development and Welfare or a NGO's shelter approved by the Ministry of Social Development and Human Security.

In an emergency case or if it is necessary, the investigating officers shall immediately interrogate the trafficked victim and coordinate with the public prosecutor to apply to the court for an early deposition according to Article 12 of the 1997 Measures in Prevention and Suppression of Trafficking in Women and Children Act and Article 237 bis of the Criminal Procedure Code, though the investigation is not completed.

10.2 The Multi-disciplinary Operation Unit shall interrogate the victim for additional information to assess her physical, mental and social conditions. Officers shall then screen the victim, systematically collect and store all information and coordinate to forward information so received to the investigating officers for prosecution process.

In the interrogation according to paragraph 1, the victim is able to ask the concerned officers or agencies to send representative(s) to participate in the interrogation.

10.3 The investigating officers shall prosecute the offenders involved in human trafficking, persons who recruit, lure, accompany, purchase, sell, deliver, harbor, confine, detain, conceal, threat, harm, abuse his/her authority or other means of coercion to other persons; persons who are entrepreneurs, caretakers, managers, supervisors, controllers or ones who arrange for other persons to commit illegal actions for other persons' sexual desires, sexual abuse, or for one's own or others' unlawful benefits; or persons who receive sexual services from children under 18 years of age from places where sexual services are provided or other places. These are considered crimes according to the Penal Code, laws on prevention and suppression of prostitution, laws on children and youth welfare, laws on prevention and suppression of women and children trafficking, laws on prevention and suppression of money laundering, or labor laws.

According to paragraph 1 for the criteria of the age of the children, the time of the first incident is to be used. In the case where the incident takes place when the child is not over 18 years old, but it is discovered when she is over 18, the offenders are to be prosecuted for his crime against a child whose age is not over 18 years old.

In the case where labor laws are applicable, Provincial Employment Office, Provincial Labor Protection and Welfare Office or, Provincial Social Security Office shall cooperate with the POCHT in rescue and protection of trafficked victims who are non-Thai but reside in the country or has had a domicile or had resided in the country.

10.4 If Articles 10 and 11 of the 1997 Measures in Prevention and Suppression of Trafficking in Women and Children Act are to be applied to the case, the authorized officers shall transfer the potential woman or child victim to an appropriate place for interrogation of facts or examination of documents or witnesses.

In case the initial inquiry or interrogation could not be completed within 24 hours, upon approval of the Governor at a request of the POCHT, the victim shall be transferred to a reception center or a welfare shelter of the Department of Social Development and Welfare or a NGO's shelter approved by the Ministry of Social Development and Human Security for assistance and full physical and psychological examinations shall be provided for the victim and collected as evidences.

If there is no such facility available in the said province, an alternative shelter deemed to be most appropriate and safe shall be arranged and provided with the approval of the POCHT.

10.5 The Department of Social Development and Welfare's shelter or NGOs' welfare shelter approved by the Ministry of Social Development and Human Security used to care for the trafficked victim shall not be deemed as a detention center under the authority of the investigating officers or the court.

10.6 In the case where the victim has no ID card or there is a reasonable doubt concerning the authenticity of the ID card, the Ministry of Social Development and Human Security officials shall examine the evidence of the population registration or the registration of person's ID card with the Ministry of Interior and shall immediately report the results to the investigating officers.

The Ministry of Social Development and Human Security officials shall investigate evidences and witnesses according to what the non-Thai trafficked victim, who has had a domicile or a residential status in Thailand, has reported and whose information has been verified by governmental officials or concerned local agencies. All information shall be reported to the investigating officers or the Ministry of Interior and the Ministry of Foreign Affairs for further operations in accordance with the resolution of the Thai Cabinet, dated 14 June 2005.

10.7 In the case where the victim asserts that she is over 18 years of age without any proof of ID card; or there is a reasonable doubt that her ID card is fake, modified, or not the one issued to her; or there is a reasonable doubt that she is not over 18 years old, the investigating officers or the Ministry of Social Development and Human Security officials shall arrange a dental or physical examination to rule if the victim is 18 years old or younger. In the case where the Ministry of Social Development and Human Security officials arrange the examination, the investigating officers should be informed of the results for victim protection and fairness for every party.

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For the benefit of the potential trafficked victim or the victim, in case the result of the examination is not completed or is still unclear, it shall be presumed that the person is not over 18 years of age. The investigating officers shall interrogate the person in accordance with the child protection section of the Criminal Procedure Code.

10.8 While the trafficked victim is under custody of the Department of Social Development and Welfare or NGOs, she shall be provided with a safe and appropriate place, food, clothing, as well as physical and psychological recovery, occupational training, and assistance for welfare and law procedures prior to the repatriation to her domicile.

In the repatriation process of the trafficked victim who has had a domicile within Thailand's 8 southeastern provinces, when the POCHT is informed about the trafficking, it shall proceed as in 8.10 and 8.11 procedures for Thai trafficked victims.

The POCHT shall urgently collect additional evidences or information useful for prosecuting the offenders as requested.

11. In the area of 8 southeastern provinces, there are problems with Thai and foreign laborers who are male over 18 years old in fishery and laborers outside the system who are under servitude or similar situations or are exploited for unlawful benefits. The investigating officers shall gather evidences and witnesses and prosecute the offenders according to laws in coordination with the POCHT or concerned agencies who shall cooperate with the officers immediately.

Male trafficked victim who voluntarily requests for assistance shall be transferred to a reception center or a welfare shelter of the Department of Social Development and Welfare or a NGO's shelter approved by the Ministry of Social Development and Human Security or other safe places approved by the POCHT and be provided with the protection, assistance, and treatment similar to child and woman trafficked victim. For a victim who does not voluntarily request for any assistance, social workers from GOs or NGOs shall provide him with advice before further operation.

12. The Provincial Operation Center on Prevention and Suppression of Human Trafficking (POCHT) or other concerned agencies shall arrange the exchange of experiences and trainings among provinces, regions, and countries to increase their special knowledge and knowledge of cooperation among multi-disciplinary teams including networking, and especially to select appropriate personnel to prevent, suppress, and solve the trafficking problem for efficient and successful operation according to this MOU.

13. The relevant government agencies shall apply for government funding from the Budget Bureau for the operational expenses required to implement this Memorandum of Understanding and shall inform the Ministry of Social Development and Human Security for due support in applying for funding for each agency and shall apply for funding from other sources such as provincial budget offices, local administrative offices or international organizations, etc.

In some cases, it is possible for the POCHT to support or advise NGOs in applying for funding through GOs or directly applying to any related funds or various sources of funds.

14. The concerned agencies, both government agencies and NGOs, shall promulgate necessary internal criteria and regulations according to this MOU and related laws.

15. If there is any abolishment or amendment of any laws mentioned in this MOU or any promulgation of new laws, they shall all be applied to the MOU accordingly, depending on the case.

16. This MOU may be amended if necessary or if there are changes of situations, by an agreement among the 8 southeastern provinces.

This MOU was signed on 23 March 2007.

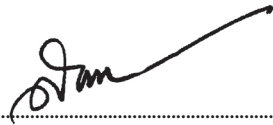
Governor



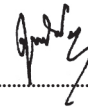
(Mr.Pichai Amantapong)
Governor of Chumphon



(Dr.Niwat Sawatkaew)
Governor of Surat Thani



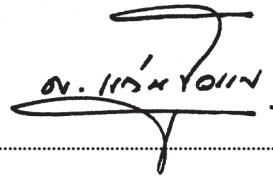
(Mr.Somsak Khamtaweprom)
Vice Governor of Nakhon Si Thammarat



(Miss Duangchai Chor.Boonpunth)
Vice Governor of Phatthalung



(Mr.Theeratep Sriyapant)
Vice Governor of Songkla



(Mrs.Panee Khansuwan)
Vice Governor of Pattani

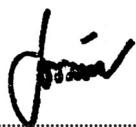


(Mr.Wichit Chatphaisit)
Vice Governor of Narathiwat



(Mr.Teera Mintrasak)
Governor of Yala

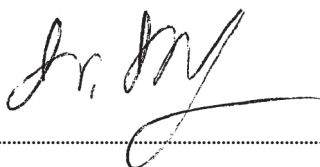
Provincial Chief Public Prosecutor



(Mr. Piensak Sombuttong)
Chumphon Provincial Chief Public
Prosecutor



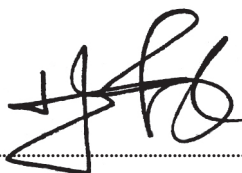
(Mr. Thachkom Darapattanapak)
Surat Thani Provincial Chief Public Prosecutor



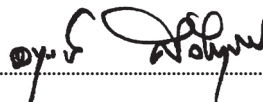
(Mr. Panom Boonrak)
Nakhon Si Thammarat Provincial
Chief Public Prosecutor



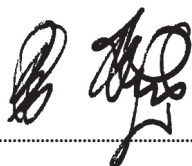
(Mr. Suwat Jarowsak)
Phatthalung Provincial Chief Public Prosecutor



(Mr. Surin Watatham)
Songkla Provincial Chief Public Prosecutor



(Mr. Anurak Sawasdiburi)
Pattani Provincial Chief Public Prosecutor



(Mr. Sophon Thipbumrung)
Narathiwat Provincial Chief Public Prosecutor

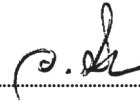


(Mr. Dang Phunglom)
Yala Provincial Chief Public Prosecutor

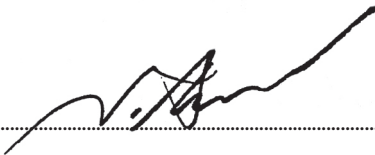
Provincial Police Commander



(Pol.Col.Jakkarat Sarikapun)
Deputy Commander of Chumphon
Provincial Police



(Pol.Maj.Gen.Wiboon Bangthamai)
Commander of Surat Thani
Provincial Police



(Pol.Maj.Gen.Sudjai Yannarat)
Commander of Nakhon Si Thammarat
Provincial Police



(Pol.Maj.Gen.Kittisan Detsunthawat)
Commander of Phatthalung
Provincial Police



(Pol.Maj.Gen.Phaithoon Phatthanasophon)
Commander of Songkla Provincial Police



(Pol.Maj.Gen.Kokiat Vongvorachart)
Commander of Pattani Provincial Police



(Pol.Maj.Gen.Yongyut Charemwanit)
Commander of Narathiwat
Provincial Police



(Pol.Col.Narasak Chiangsuk)
Deputy Commander of Yala Provincial Police

Provincial Public Health Director



(Mrs. Utumporn Kambhu na Ayudthaya)
Director of Chumphon Provincial Public Health



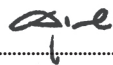
(Mr. Nattawuth Prasertsiripong)
Director of Surat Thani Provincial Public Health



(Mr. Nopporn Cheanklin)
Director of Nakhon Si Thammarat Provincial
Public Health



(Mr. Wichain Keanploy)
Director of Phatthalung Provincial Public Health



(Mr. Suthep Wacharapiyanun)
Director of Songkla Provincial Public Health



(Mr. Yom Chiranakhon)
Director of Pattani Provincial Public Health

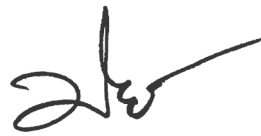


(Mr. Sirichai Pattaranutaporn)
Director of Narathiwat Provincial
Public Health



(Mr. Marut Jirasadsiri)
Director of Yala Provincial Public Health

Provincial Social Development and Human Security



(Mr. Prasit Meechang)

Chief of Chumphon Provincial
Social Development and Human Security



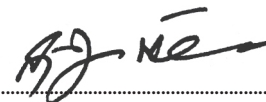
(Mr. Manus Chumthaworn)

Chief of Surat Thani Provincial
Social Development and Human Security



(Mr. Dherasak Kwanpetch)

Chief of Nakhon Si Thammarat
Social Development and Human Security



(Miss Suteera Nuichan)

Chief of Phatthalung Provincial
Social Development and Human Security



(Mr. Anan Dissara)

Chief of Songkla Provincial
Social Development and Human Security



(Mr. Samroeng Keawnoi)

Chief of Pattani Provincial
Social Development and Human Security



(Mr. Surapol Kanchanapangka)

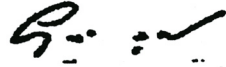
Chief of Narathiwat Provincial
Social Development and Human Security



(Mr. Surapong Kananuruck)

Chief of Yala Provincial
Social Development and Human Security

Provincial Labour Protection and Welfare



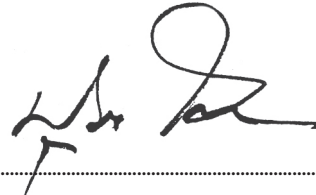
(Mr. Teerakun Roonphai)
Chief of Chumphon Provincial
Labour Protection and Welfare



(Mr. Pathom Pechmanee)
Chief of Surat Thani Provincial
Labour Protection and Welfare



(Mrs. Tuenjit Srisala)
Chief of Nakhon Si Thammarat Provincial
Labour Protection and Welfare



(Mr. Boonteen Seesom)
Chief of Phatthalung Provincial
Labour Protection and Welfare



(Mr. ChamLang Kongtuke)
Chief of Songkla Provincial
Labour Protection and Welfare



(Mr. Prasert Junpra-ob)
Chief of Pattani Provincial
Labour Protection and Welfare



(Miss Sumporn Prueksapong)
Chief of Narathiwat Provincial
Labour Protection and Welfare



(Mr. Pramot Prasitprom)
Chief of Yala Provincial
Labour Protection and Welfare

Provincial Employment



(Mr.Boonchok Maneechot)
Chief of Chumphon Provincial
Employment Office



(Mrs.Pongsri Boonnum)
Chief of Surat Thani Provincial
Employment Office



(Miss Kurupint Nittayananta)
Chief of Nakhon Si Thammarat Provincial
Employment Office



(Mr.Kriangwit Leelarertprasert)
Chief of Phatthalung Provincial
Employment Office



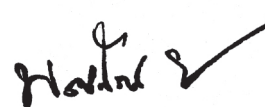
(Mr.Sayon Chuayjan)
Chief of Songkla Provincial Employment Office



(Mr.Aroon Mudlam)
Chief of Pattani Provincial Employment Office



(Mr.Phitool Dumsakorn)
Chief of Narathiwat Provincial
Employment Office



(Mrs.Pompavee Vichit)
Chief of Yala Provincial Employment Office

Provincial Administrative Organization



(Mr.Chatchai Palang)

Deputy Chief Executive of Chumphon
Provincial Administrative Organization



(Mr.Thani Thueksuban)

Chief Executive of Surat Thani Provincial
Administrative Organization



(Mr.Anan Khunjan)

Chief Executive of Nakhon Si Thammarat
Provincial Administrative Organization



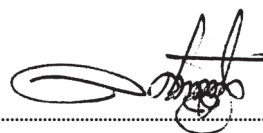
(Mr.Nivat Intarasombath)

Deputy Chief Executive of Phatthalung
Provincial Administrative Organization



(Mr.Phira Tantiserani)

Deputy Chief Executive of Songkla Provincial
Administrative Organization



(Mr.Adilun Ali-ishok)

Deputy Chief Executive of Pattani Provincial
Administrative Organization



(Mr.Bandit Chengoh)

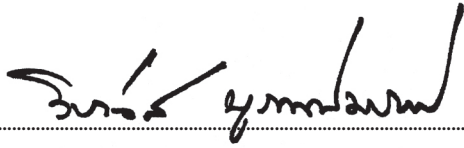
Deputy Chief Executive of Narathiwat Provincial
Administrative Organization



(Mr.Abdul-Ayee Samang)

Deputy Chief Executive of Yala Provincial
Administrative Organization


Immigration Office



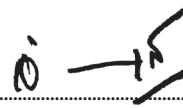
(Pol.Col.Wittawat Buranasompop)
Superintendent,Sadao Immigration



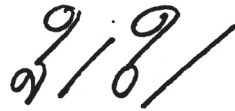
(Pol.Lt.Col.Amnuk Traikityanukul)
Inspector,Betong Immigration



(Pol.Col.Banphot Kongkhachan)
Superintendent,Su-ngai Kolok



(Pol.Lt.Col.Abdulkordae Bernasteng)
Inspector,Pattani Immigration

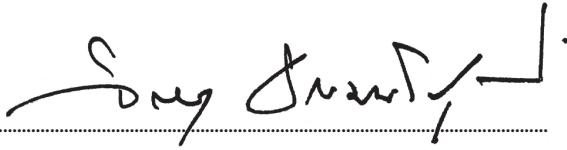


(Pol.Lt.Col.Chakarin Rattanajongjitakorn)
Inspector,Surat Thani Immigration



(Pol.Lt.Col.Chaiwat oui-com)
Inspector,Nakhon Si Thammarat Immigration

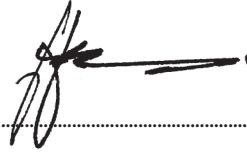
NGOs



(Mrs.Chitra Thumborisuth)

Deputy Director

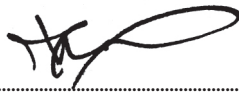
World Vission Foundation of Thailand



(Miss Thanavadee Thajeen)

Director

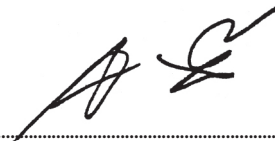
Friends of Woman Foundation



(Mr.Jurgen Thomas)

Director

Afesip Thailand



(Mr.Suchart Chanthalakkhana)

Manager

Stella Maris seafarers'



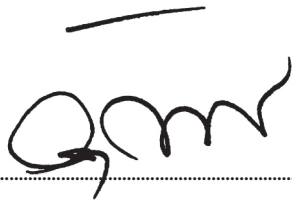
(Mrs.Rosidah Pusu)

Coordination

The Friends of Thai-Muslim Woman

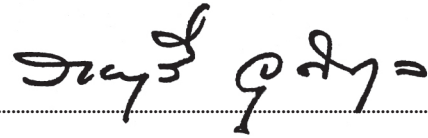
Group

Witness



(Mr. Wanlop Phloytabtim)

Permanent Secretary of
the Ministry of Social Development and Human
Security



(Mrs. Saisuree Chutikul)

Chairperson of Sub-Committee to Combat
Trafficking in Children and Women



(Mr. Kitti Samanthai)

Director General of
the Office of Welfare Promotion, Protection
and Empowerment of Vulnerable Groups



(Mrs. Napa Setthakom)

Deputy Director General of
the Department of Social Development
and Welfare



(Mrs. Kingkaew Inwang)

Deputy Director General of
the Office of Women's Affairs and Family
Development



(Mr. Prayadsak Buangam)

Expert of Office of the Basic Education
Commission



(Lt. Gen. Viroach Buacharoon)

Commander General 4th Army Area



(Vadm. Chachawarn Amrapala)

Commander Second Naval Area Command

Witness



(Mr.RCOPE COSIYANUNT)

Executive Director

Regional Office of State Attorney Region 8



(Mr.Thaweesak Wiset)

Deputy Regional General

Regional Office of State Attorney Region 9



(Pol.Lt.Gen.TANI TAWIDSRI)

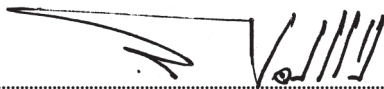
Commissioner

Provincial Police 8



(Pol.Lt.Gen.JETANAKORN NAPEETAPAT)

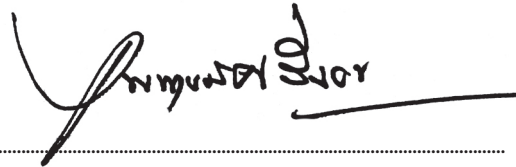
Commissioner Provincial Police 9



(Pol.Col.SOMPONG KHONKAEN)

Deputy Commander of

Border Patrol Police Region 4



(Mr.Paitoon Sirawd)

Deputy Commander

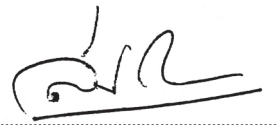
Southern Region Immigration Center



(Mr.Pitaya Pasungkaman)

Executive Director of

The Public Relation Office,Region 5



(Pol.Col.Sayan Krasaesan)

Executive Director of

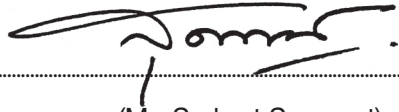
The Public Relation Office,Region 6



(Mr.Patray Sutthanunt)

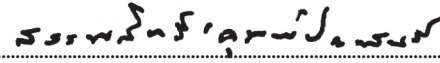
Director,Marine Office 4

Witness



(Mrs.Sudarat Sereewat)

Director, Fight Against Child Exploitation
Foundation (FACE)




(Mr.Sanpasit Khumpraphan)

The Center for the Protection of
Children's Right Foundation



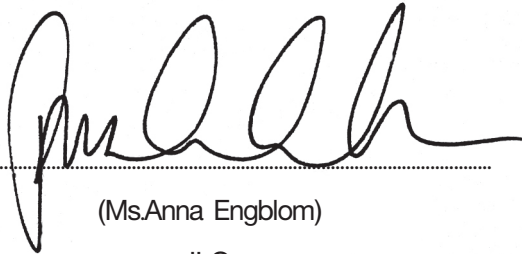
(Mr.Mark Thomas)

UNICEF



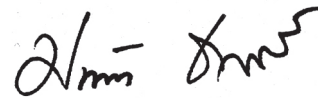
(Mrs.Irena Vojackova-Sollrano)

IOM



(Ms.Anna Engblom)

ILO



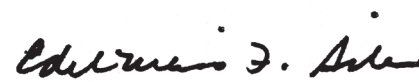
(Miss Panada Changmanee)

UNIAP



(Ms.Minty Prabha Pande)

PLAN International Thailand



(Ms.Edelweiss Silan)

Save the Children UK.

Appendix



List of Working Group

**MEMORANDUM OF UNDERSTANDING On Operational Procedures
for Concerned Agencies in Prevention, Suppression, and Solution for
Human Trafficking Problem in 8 Southeastern Provinces**

(Chumphon, Surat Thani, Nakhon Si Thammarat, Phatthalung, Songkhla, Pattani, Narathiwat, and Yala)

Krabi Provincial

No.	Name - Last Name / Position	Telephone / Fax
1.	Pol.Col.Suwan Leelaporn Deputy Commander of Chumphon Provincial Police	Tel. : 0 7750 1035 Mobile : 08 1990 7035 : 08 1849 0355 Fax : 0 7750 1039
2.	Pol.Col.Jakkarat Sarikapun Deputy Superintendent of Chumphon Provincial Police	Tel. : 0 7750 1035 Mobile : 08 1849 0355 Fax : 0 7750 1039
3.	Miss Somlak Khanom Chief of Chumphon Temporary Shelter for Children and Family	Tel. : 0 7757 4976 Mobile : 08 1891 1540 Fax : 0 7757 4976
4.	Mr.Prasit Meechang Chief of Chumphon Provincial Social Development and Human Security	Tel. : 0 7751 1710 Fax : 0 7750 2996
5.	Mr.Preedee Khampherakij Chief of Chumphon Provincial Social Development and Human Security	Tel. : 0 7751 1710 Fax : 0 7750 2996
6.	MissWallapha Kaewsawee Social Development Officer	Tel. : 0 7751 1710 Fax : 0 7750 2996

Surat Thani Provincial

No.	Name - Last Name / Position	Telephone / Fax
1.	Pol.Col.Pikud Tantipong Deputy Commander of Surat Thani Provincial Police	Tel. : 0 7728 1242 Mobile : 08 1677 3671 Fax : 0 7727 3785
2.	Miss Warin Pukkoh	Tel. : 0 7735 5540-1 Mobile : 08 1894 0670 Fax : 0 7735 5540
3.	Miss Puangpen Jaikwang Social Worker	Tel. : 0 7735 5540-1 Mobile : 08 1079 9793 Fax : 0 7735 5540
4.	Mr.Manus Chumthaworn Chief of Surat Thani Provincial Social Development and Human Security	Tel. : 0 7735 5080-1 Fax : 0 7735 5080
5.	Miss Tidarut Nikomprasat Social Worker	Tel. : 0 7735 5080-1 Fax : 0 7735 5080
6.	Mr.Kittisak Wuttiiphong Social Development Officer	Tel. : 0 7735 5080-1 Mobile : 08 7388 4487 Fax : 0 7735 5080

Nakhon Si Thammarat Provincial

No.	Name - Last Name / Position	Telephone / Fax
1.	Pol.Col.Kiti Kanchanakiti Deputy Commander of Nakhon Si Thammasat Provincial Police	Tel. : 0 7534 1039 Mobile : 08 1857 5005 Fax : 0 7534 1054-8
2.	Mrs.Wilai Bunyakhemanan	Tel. : 0 7535 6166 Mobile : 08 1271 3418 Fax : 0 7531 0374
3.	Miss Ratchanee Pongmalee Social Development Officer	Tel. : 0 7535 6166 Fax : 0 7531 0374
4.	Miss Saowanee Promma Social Worker	Tel. : 0 7535 6165 Mobile : 08 7265 5421 Fax : 0 7534 1026
5.	Miss Virawan Juaboon Social Development Officer	Tel. : 0 7535 6165 Mobile : 08 4062 4759 Fax : 0 7534 1026

Phthalung Provincial

No.	Name - Last Name / Position	Telephone / Fax
1.	Pol.Lt.Col. Tawatchai Jongwang Deputy Superintendent Investigation of Phthalung Provincial Police	Tel. : 0 7461 1613 Mobile : 08 1891 9085
2.	Mr.Tanya Limsakul Legal Officer	Tel. : 0 7461 1958 Mobile : 08 7968 6354 Fax : 0 7461 1958
3.	Mrs.Ubol Thongsalabluan Social Development Officer	Tel. : 0 7461 3289 Mobile : 08 1728 1732 Fax : 0 7461 3289

Songkhla Provincial

No.	Name - Last Name / Position	Telephone / Fax
1.	Mr.Prayoon Phathana-amom Special Public Prosecutor	Tel. : 0 7432 2610 : 0 7431 1057 Mobile : 08 1896 3238 Fax. : 0 7431 3722
2.	Capt.Vorasak Ruangsri Special Public Prosecutor	Tel. : 0 7432 2610 Mobile : 08 1896 5442
3.	Pol.Maj.Jakravut Boonrueang Investigation Inspector	Tel. : 0 7432 2610 Mobile : 08 5892 2949 Fax : 0 7432 2610
4.	Pol.Lt.Col.Anugoon Theancharoen Inspector of Sadoa Immigration	Tel. : 0 7430 1107 Mobile : 08 1690 2977 Fax : 0 7430 1107
5.	Mrs.Nichapat Petchpun	Tel. : 0 7433 3746 Mobile : 08 1897 9056 Fax : 0 7433 3746
6.	Mr.Anan Dissara Chief of Songkhla Provincial Social Development and Human Security	Tel. : 0 7431 1188 Fax : 0 7431 3620
7.	Miss Sriprapa Busabong Areadevelopment Project Coordinator	Tel. : 0 7432 6774 : 0 7431 3760 Mobile : 08 6704 4301 Fax : 0 7432 3762

Pattani Provincial

No.	Name - Last Name / Position	Telephone / Fax
1.	Pol.Maj.Antie Koarie	Tel. : 0 7333 3017 Mobile : 08 9654 3419 Fax : 0 7334 8555
2.	Pol.Lt.Col.Kang Burachud Deputy Superintendent	Tel. : 0 7334 9220 Mobile : 08 9596 7318 Fax : 0 7333 7701
3.	Mrs.Atikah Charansam Social Development Officer	Tel. : 0 7334 9145 Mobile : 08 1766 5241 Fax : 0 7334 9145
4.	Mrs.Chaiwat Anantiyo Social Worker	Tel. : 0 7334 8310 Mobile : 08 1542 5873 Fax : 0 7334 9145
5.	Miss Suraida Karee Social Development Officer	Tel. : 0 7334 9145 Mobile : 08 9293 6869 Fax : 0 7334 9145

Narathiwat Provincial

No.	Name - Last Name / Position	Telephone / Fax
1.	Pol.Col.Paiboon Joykul Deputy Commander of Narathiwat Provincail Police	Tel. : 0 7351 1416 Mobile : 08 1124 6959 Fax : 0 7351 1416
2.	Mrs.Supapom Wutthisart	Tel. : 0 7353 2670 Mobile : 08 1897 9057 Fax : 0 7353 2670-1
3.	Mrs.Saranya Jittavong Social Worker	Tel. : 0 7353 2105-6 Mobile : 08 1277 6305 Fax : 0 7353 2105
4.	Miss khoreeyoh Umaheang Social Development Officer	Tel. : 0 7353 2105-6 Mobile : 08 9964 6502 : 08 1277 6305 Fax : 0 7353 2105

Yala Provincial

No.	Name - Last Name / Position	Telephone / Fax
1.	Pol.Col.Narasak Chiangsuk Deputy Commander of Yala Provincial Police	Tel. : 0 7321 2667 Mobile : 08 1959 7183
2.	Pol.Col.Suriya Chaiyotha Deputy Commander of Yala Provincial Police	Tel. : 0 7321 2667 Mobile : 08 1957 9830
3.	Mr.Chaolit Chairerk	Tel. : 0 7324 3504 Mobile : 08 9598 4292
4.	Mr.Surapong Kananuruk Chief of Yala Provincial Social Development and Human Security	Tel. : 0 7321 2961 Mobile : 08 1897 4238 Fax : 0 7321 2961 : 0 7324 3004
5.	Miss Saowanee Thongthammachart Social Worker	Tel. : 0 7321 2961 Mobile : 08 1540 3459 Fax : 0 7324 3004
6.	Mr.Rohcidee Lertariyapongkul Chairman Muslim Youth Association	Mobile : 08 1959 0117 Fax : 0 7321 1483

Centre

No.	Name - Last Name / Position	Telephone / Fax
1.	Miss Saranpat Anumatrajki Director International Affairs Division	Tel. : 0 2306 8628 Mobile : 08 1341 8363 Fax : 0 2306 8629
2.	Miss Wanachan Chaimontree Regional Cross-border Project Advocacy Officer	Tel. : 0 2652 0518 ext. 302 Mobile : 08 1494 2410 Fax : 0 2684 1289

Gest - Speaker

No.	Name - Last Name / Position	Telephone / Fax
1.	Dr.Saisuree Chutikul Chair of The National Sub-Committee To Combat Trafficking in Children and Women	Tel. : 0 2252 8343 Fax : 0 2251 2759
2.	Mr.SomChai Charoen-umnuaikesuke Deputy Director-General	Tel. : 0 2651 7739 Fax : 0 2651 7739
3.	Mr.Pravit Roykaew Provincial Public Prosecutor	Tel. : 0 2224 7240 Mobile : 08 6986 5558 Fax : 0 2224 7045
4.	Pol.Maj.Gen.Chatchawal Suksomjit Commissioner of Office of Legal Affairs	Tel. : 0 2254 1933 Mobile : 08 1860 5057 Fax : 0 2205 1401
5.	Pol.Col.Petchlook Siengkong Superintendent Commander Nakhonnayok Provincial Police	Tel. : 0 2533 8857 Mobile : 08 1701 6554 Fax : 0 3731 2442
6.	Mrs.Boonmee Sawangtham Super Independent of Chiang Mai Home for Boys	Tel. : 0 5312 1157 : 0 5312 1159 Mobile : 08 1681 3351 : 08 1980 1772 Fax : 0 5312 1160
7.	Ms.Wasana Kaonopsrat Director of Child Rotation Services Unit	Tel. : 0 2412 1196 : 0 2412 0739 Mobile : 08 1346 0182 Fax : 0 2412 9833
8.	Ms.Suvichit Sataman Director of Child's Capability Promotion and Development	Tel. : 0 2651 6671 Mobile : 08 9201 0170 Fax : 0 2651 6671

OPP.

No.	Name - Last Name / Position	Telephone / Fax
1.	Mrs.Tasna Suddeawkrai Social Development Worker	Tel. : 0 2651 6742 Mobile : 08 9762 4558 Fax : 0 2651 6890
2.	Ms.Jiruchaya Khemsiri General Service Administration Officer	Tel. : 0 2255 5850 -57 ext. 131 Fax : 0 2651 7748
3.	Ms.Rachadapom Songsuwan Social Development Worker	Tel. : 0 2651 6742 Mobile : 08 1551 1886 Fax : 0 2651 6890
4.	Ms.Worawan Aparat Social Development Technical Officer	Tel. : 0 2651 6742 Mobile : 08 5144 8688 Fax : 0 2651 6890

